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Accessible Instructional Materials and the IEP

On July 19, 2006, the National Instructional Materials Accessibility Standard (NIMAS) was published in the Federal Register at the Library of Congress by the U.S. Office of Special Education (OSEP). With this official posting of the NIMAS, accessible instructional materials have become part of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA).

"The purpose of the NIMAS is to help increase the availability and timely delivery of print instructional materials in accessible formats to blind or other persons with print disabilities in elementary schools and secondary schools" (34 CFR Part 300, National Instructional Materials Accessibility Standard; Final Rule, FR Doc. 06-6340 Filed 7-18-06).

What this means for students, and, in this context, for those who are involved in the provision of IEPs for students, is that, effective July 19, 2006, publishers and other producers of print-based educational materials will be required to provide those materials in alternate formats if necessary to meet the needs of individual students. Publishers, for example, will create NIMAS-conformant files of their educational content and deliver those files to the NIMAC, a national file repository. They will then be downloaded and transformed by authorized users into student-ready versions and delivered to students via their school or teacher, etc.

Educators, administrators, and others may well be making use of NIMAS-derived specialized-format versions of print instructional materials (Braille, audio, e-text, large print, etc.) for the first time in 2006. With this in mind, guidelines for suggested language for individual students' IEPs is outlined below.

Suggested Accessible Instructional Materials Language in the IEP

State and local education agencies are encouraged to include language relating to a student's need for accessible, alternate-format versions of print instructional materials in the IEP in order to ensure—

Access to General Curriculum(34 CFR 300.138(a) and 300.347 (a)(3)) Students with disabilities are to be provided access to the general curriculum with modifications, accommodations, supplementary aids, and supports in order to make satisfactory educational progress.

"Supplementary aids and services"—the term 'supplementary aids and services' means aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate in accordance with section 612(a)(5)" (IDEA 97's provision on least restrictive environment).

It is recommended that the IEP include a query such as the following:

Does the student require accessible, alternate-format versions of printed textbooks and printed core materials that are written and published primarily for use in elementary and secondary school instruction and are required by an SEA or LEA for use by students in the classroom?

A query of this kind is designed to prompt the IEP team to consider each print-disabled student's need for accessible, alternate-format versions of print instructional materials.

If a student with a print disability does need a specialized format, the IEP should specify the following:

- the specific format(s) to be provided (Braille, audio, e-text, large print, etc.)
- the services and/or assistive technology the student needs to use the specialized format
- the individual or individuals responsible for providing the specialized format, and
- whether or not the format is required to be used in the student's home or in another setting in order for the student to receive a free appropriate public education.



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The NIMAS Development and Technical Assistance Center, supported by the U.S. Department of Education, Office of Special Education Programs (OSEP), works with states, TA systems, disability advocates, national associations, technology experts, publishers and content conversion houses to improve the timely delivery of high quality accessible educational materials to students with disabilities. The NIMAS Center was launched on October 1, 2004. The project officer for both the Development and TA Centers is Bonnie Jones, Ed.D. Opinions expressed herein do not necessarily represent the Department of Education's position or policy.